

## **REMARKS/ARGUMENTS**

### **1. Rejection Under 35 U.S.C. §102**

The Examiner has rejected Claims 1-2 under 35 U.S.C. §102(b), based on the contention that they are anticipated by U.S. Patent No. 5,494,437, issued to Kubota (Kubota '437). Applicant respectfully traverses the Examiner's contentions. Notwithstanding this traversal, Applicant notes that the Examiner has indicated that Claims 3-8 are objected to as being dependent upon a rejected base claim, but that those claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has amended the claims as suggested by the Examiner. Specifically, the limitations of Claim 3 have been added to independent Claim 1 (and Claim 3 has been cancelled), and new independent Claims 9 and 15 have been added, with Claim 9 corresponding to a combination of Claims 1, 2 and 4, and Claim 15 corresponding to a combination of Claims 1 and 5. The remaining claims depend from these claims, which were already deemed allowable by the Examiner.

Applicant notes that the original filing fee was sufficient to cover up to three independent claims, and up to twenty total claims. As amended above, the current application includes three total independent claims, and nineteen total claims. Therefore, Applicant submits that no further fees should be due at this time.

### **2. Conclusion**

Based on the above, Applicant submits that the present claims should now be in condition for allowance. Therefore, reconsideration and passage to allowance of Claims 1-2, and 4-20 is


respectfully requested.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully requested.

Respectfully submitted,

FACTOR & LAKE, LTD.

Dated: July 1, 2005

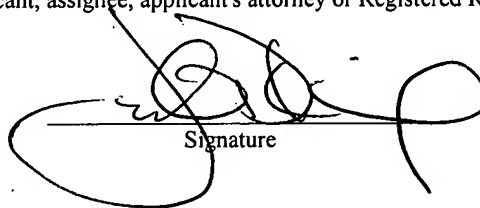
  
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Jacob D. Koering  
One of Applicant's Attorneys

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Patent Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 1, 2005.

Jacob D. Koering

Name of Applicant, assignee, applicant's attorney or Registered Representative

  
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Signature